

## **DECISION MEMO USDA FOREST SERVICE**

### **MONTE CRISTO ABANDONED MINE LAND SAFETY CLOSURES**

Dillon Ranger District of the White River National Forest  
Summit County, Colorado

*Updated version to correct typographical errors noted on the Decision Memo dated June 26, 2020.*

#### **I. PROPOSED ACTION**

A primary objective of the White River National Forest Abandoned Mine Land (AML) program is to eliminate and/or reduce public health and safety hazards related to abandoned structures and mine features. Under this program, the Dillon Ranger District in collaboration with the Colorado Department of Reclamation and Mine Safety (DRMS) has identified seventeen hazardous historic structures and mine features along heavily traveled recreation routes in three major areas: (1) the Monte Cristo area at the headwaters of Blue River north of Hoosier Pass, (2) the Upper Blue River area east of the Town of Breckenridge, and (3) the Snake River area including one site near the Town of Montezuma. (See Location Map - Monte Cristo Abandoned Mine Land Safety Closures) Ten of the identified structures and features in these areas are situated on National Forest System lands associated with active unpatented mining claims and are therefore subject to authorities associated with the mineral administration program on the Dillon Ranger District. (See Table 1: Monte Cristo Abandoned Mine Land Safety Closures). None of the identified structures and features are authorized as part of approved uses or activities on National Forest System lands and, as a result, need to be removed or remediated. Implementation of the safety closures at the Burke Martin Mill (MC09) and Spelter King Mine (MC15) in the Snake River Area near the Town of Montezuma are being deferred to a future project and are not considered a part of the Monte Cristo Mine Closure Project.

This project consists of 8 mine features located on National Forest System lands across Summit County between roughly 9,730' and 12,370' of elevation.. The features are almost all shallow adits and shafts. Open adits and shafts will be backfilled with nearby mine dump wastes in accordance with DRMS Shaft Backfill Closure Specifications. These sites may require grading, scarification, mulching, and seeding on disturbed areas. Abandoned structures at these sites that have been determined to present a hazard to public safety will be (1) demolished and removed or (2) barricaded to prevent human contact and use. The attached "Inactive Mine Site Field Forms" describe the proposed closure method for each

identified feature.

## II. BACKGROUND

Abandoned mine safety closures are an integral component of the Forest Service mission to enhance and improve watershed conditions for a variety of user groups mandated under numerous authorities, including the 1897 Organic Act, the Multiple Use Sustained Yield Act, and the National Forest Management Act. Specifically, the Forest Service receives federally appropriated dollars to mitigate dangerous mining features that potentially affect public users of National Forest System lands and Forest Service employees (USDA Health and Safety Code (FSH 6709.11)).

The State of Colorado Division of Reclamation and Mine Safety (DRMS) administers the Colorado Inactive Mine Reclamation Program (CIMRP). The purpose of the program is to safeguard dangerous conditions resulting from mining practices which took place at a mine that is no longer operating and its associated works could reasonably be expected to cause substantial physical harm to persons or animals. The Colorado Geologic Survey, USFS-Abandoned Mine Land Inventory Project, 1998, identified multiple potentially hazardous abandoned mine features requiring remediation within the White River National Forest, including the Dillon Ranger District. As there are no active mining claims associated with the mine feature sites, these features are deemed abandoned and permanent closure becomes the responsibility of the land managing agency.

Colorado Revised Statute 34-24-110 (1) requires that landowners adequately safeguard all abandoned mine openings that are located on their property. Under a cooperative agreement with the Forest Service, the DRMS is proposing reclamation activity on these sites that will satisfy the statutory requirements. Upon completion of the work, the Forest Service will be responsible for maintaining the closures.

The DRMS uses a wide variety of closure techniques based upon the site location, access for equipment, and effectiveness. The most common type closure for an adit (a horizontal opening similar to a tunnel) or shaft is construction of a bulkhead using local country rock or waste rock material, then using cement to grout the opening to prevent removing the rock barrier. Oftentimes, if water is draining out of the adit, a culvert with a grate will be placed at the base of the bulkhead to prevent water from building up behind and rupturing the bulkhead. Materials used to build the bulkheads are often taken from the waste rock pile that could affect cultural resources around the mine site. Adits used by bats are closed with a bat gate (steel bars that allow bats to move freely in and out of the adit).

Shafts are closed by removing any debris fallen into the shaft and then backfilling with local materials, construction of a stronger bulkhead using either a precast concrete panel to cover the shaft, or polyurethane foam (PUF) injected into the shaft and then backfilled with dirt.

Generally, impacts from closing mine openings are very low. Remote and difficult locations often require hiking to a site and closing the adit or shaft by hand. Where access

is possible, a truck mounted crane or small bulldozer would be the largest piece of equipment on a site. However, materials for backfilling are often taken from the waste rock piles and may disturb cultural resources. In addition, there may be old buildings or other equipment with historical values that must be moved to access the mine openings prior to closure.

The Dillon Ranger District resource specialists in wildlife biology and botany have determined that limited adverse effects to sensitive species and no effects to threatened and endangered species would result from the proposed action.

### **III. DECISION**

After conducting an environmental analysis, I have reviewed the project file and have decided to implement the closure of 8 abandoned mine sites on National Forest lands in the southern half of Summit County, Colorado. The mine sites are located in: (1) the Monte Cristo area at the headwaters of Blue River north of Hoosier Pass and (2) the Upper Blue River area east of the Town of Breckenridge. Implementation of the safety closures at the Burke Martin Mill (MC09) and Spelter King Mine (MC15) in the Snake River Area near the Town of Montezuma are being deferred to a future project and are not considered a part of the Monte Cristo Mine Closure Project. Specific closure methods are outlined in "Table 1. Monte Cristo Abandoned Mine Land Safety Closures". The Colorado Division of Reclamation and Mine Safety will be implementing the closures of these hazardous mine features beginning in the summer 2020. This decision authorizes their work on the National Forest lands on the Dillon Ranger District.

### **IV. CATEGORY OF THE PROPOSED ACTION**

The proposal meets criteria for actions to be categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The proposed action falls under Category Number 8, in Section 31.2 of the Forest Service Handbook 1909.15 - Environmental Policy and Procedures Handbook; "Short-term (one year or less) mineral...investigations and incidental support activities. Examples: approving interim and final site restoration activities." Removing hazardous structures is part of the final site restoration of an abandoned mine operation. Removal of structures and protection of remaining features will take two weeks to complete. The entire project may begin in the summer 2020 and be completed by fall 2021. Based on an environmental analysis and past experience, the effects of implementing this action will be of limited context and intensity and will result in little or no environmental effects to either the physical or biological components of the environment.

### **V. FINDINGS OF NO EXTRAORDINARY CIRCUMSTANCES**

There are no conditions that would constitute an extraordinary circumstance related to the proposed project. This conclusion is based on an interdisciplinary team review of the site and project proposal as well as knowledge of similar past projects and professional judgment.

*Steep slopes or highly erosive soils* – The proposed project would involve minimal ground disturbance activities and there would be no effect to or from steep slopes. Highly erosive soils are not present at the sites. This is mainly due to the fact the proposed activity would be confined to existing use areas, which are currently hardened and thus not susceptible to erosive forces.

*Threatened and endangered species or their critical habitat* – Biological inventories were conducted in the summer of 2019 and found no threatened or endangered species or their critical habitat will be adversely affected by implementation of the proposed action.

*Floodplains and wetlands* – The proposed action would not occur within any floodplains or wetlands and thus there would be no effect to these types of areas.

*Municipal watersheds* – The proposed action occurs in watersheds used for municipal water supplies. However, this does not constitute an extraordinary circumstance because the majority of all watersheds in the State of Colorado are municipal watersheds. In addition, impacts to water quality from the proposed action would be negligible due to the localized activities associated with mine closure construction.

*Congressionally designated areas* – The proposed action would not occur within or adjacent to any Congressionally designated areas, such as wilderness areas, wild or scenic rivers, or National Recreation Areas, and thus would have no effect on these types of areas.

*Inventoried roadless areas and Research Natural Areas* – The proposed action does not occur in any inventoried roadless areas or Research Natural Areas, and thus would have no effect on these types of areas.

*Native American religious or cultural sites, archeological sites or historic properties or areas* – A Level III Cultural Resource Inventory report for the Monte Cristo Mine Closure Project, Summit County, Colorado was completed in April 2020. The survey concluded that there are no adverse effects on historic properties. The Arctic Mill (5ST.1402), Nebraska Prospect Complex (5ST.1591) and Burke Martin Mill (5ST.1593) are recommended eligible for the National Register of Historic Places (NRHP). The proposed action will use low-impact closures that limit disturbance to the interiors of the mine openings, imposing no changes to the sites. The closures will be nearly invisible and avoid all other features, thus maintaining site integrity and eligibility. By restricting the areas of potential disturbance to the openings, the closures will impose no adverse or cumulative effects to the eligible sites. Implementation of the safety closures on the Burke Martin Mill (5ST.1593) and the Spelter King Mine (5ST.1594) are being deferred to a future project.. There are no prehistoric sites or isolated finds in the Area of Potential Effect. Site forms for the features at the various mine sites and a Cultural Resource Inventory report have been submitted to the Colorado State Historic Preservation Officer for concurrence. If during demolition work, sub-surface archaeological deposits of antiquity are discovered, further work on the closure will cease excavation in the area so affected. The DRMS and construction contractor will then immediately notify the Forest Service and will not resume excavation until written approval is given by the District Ranger.

This action does not involve any extraordinary circumstances. There, this action can be categorically excluded from documentation in an environment assessment or environmental impact statement.

## VI. SCOPING/ISSUES

The Dillon Ranger District generated the proposal in coordination with the Colorado Department of Reclamation and Mine Safety (DRMS). DRMS has the mandate to close hazardous mine openings with the permission of the landowner. Due to the routine nature of the proposal, scoping for the project involved Dillon Ranger District resource specialist review, consultation with mining claimants, Colorado Parks and Wildlife, and DRMS.

## VII. FINDINGS REQUIRED BY OTHER LAWS

The *White River Land and Resource Management Plan, 2002 Revision* (Forest Plan) has been reviewed and a determination made that this decision is consistent with the Forest Plan. Forest Plan objectives this proposal is meant to achieve include:

**Objective 1a** Improve and protect watershed conditions to provide the water quality and quantity and soil productivity necessary to support ecological functions and intended beneficial uses.

**Objective 1d** Increase the amount of forest and rangelands restored to or maintained in a healthy condition with reduced risk and damage from fires, insects, disease, and invasive species.

**Objective 2a** Improve the capability of the national forests and grasslands to provide diverse, high quality outdoor recreation opportunities.

**Objective 2c** Improve the capability of national forests and rangelands to sustain desired uses, values, products, and services.

**Objective 4a** Improve the safety and economy of Forest Service roads, trails, facilities, and operations and provide greater security for the public and employees.

The actions in this project comply fully with the management prescriptions and the Forest-wide standards and guidelines (See Chapter II of the *White River Land and Resource Management Plan, 2002 Revision*) in the following management areas:

- A. Monte Cristo Area – 3.31 Backcountry Recreation Year-round Motorized
- B. Upper Blue River Area – 7.1 Intermix, 4.3 Dispersed Recreation, and 1.31 Backcountry Recreation Non-Motorized
- C. Snake River Area – 4.3 Dispersed Recreation

Floodplain, wetlands, prime lands, threatened and endangered species, minerals, and cultural resource management implications have been considered and these resources will not be adversely affected.

No specific monitoring is recommended for this project with regard to the sensitive species or their habitats.

**VIII. ADMINISTRATIVE REVIEW AND APPEAL OPPORTUNITIES.**

This decision is not subject to administrative review or appeal pursuant to 36 CFR 215.12 (f) Decisions for actions that have been categorically excluded from documentation in an EA or EIS pursuant to FSH 1909.15, Chapter 30, section 31.

**IX. IMPLEMENTATION DATE**

The decision is effective immediately. It is anticipated that construction will begin in the summer of 2020.

**X. CONTACT PERSON**

For further information, contact Paul Semmer, Dillon Ranger District, P.O. 620, Silverthorne, CO 80498 or at (970) 262-3448.

Approved by:

**WILLIAM  
JACKSON**

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Date: \_\_\_\_\_

**William Jackson**

District Ranger

Dillon Ranger District, White River National Forest

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**LOCATION MAP**  
**MONTE CRISTO ABANDONED MINE LAND SAFETY CLOSURES 2020**

Figure 1. Monte Cristo Area

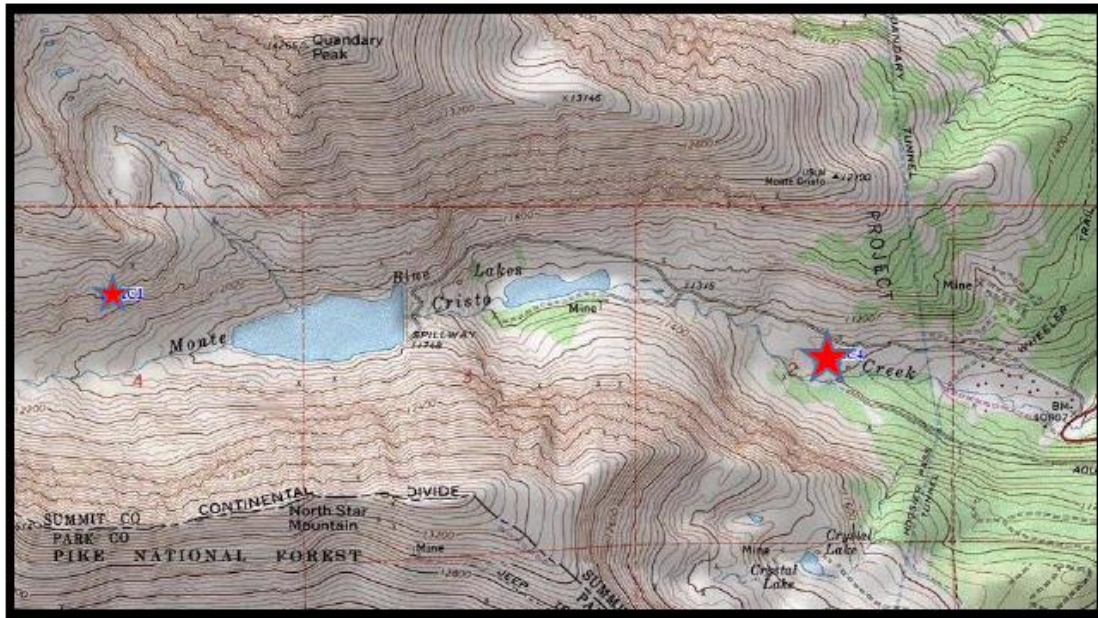


Figure 1. Upper Blue River Area

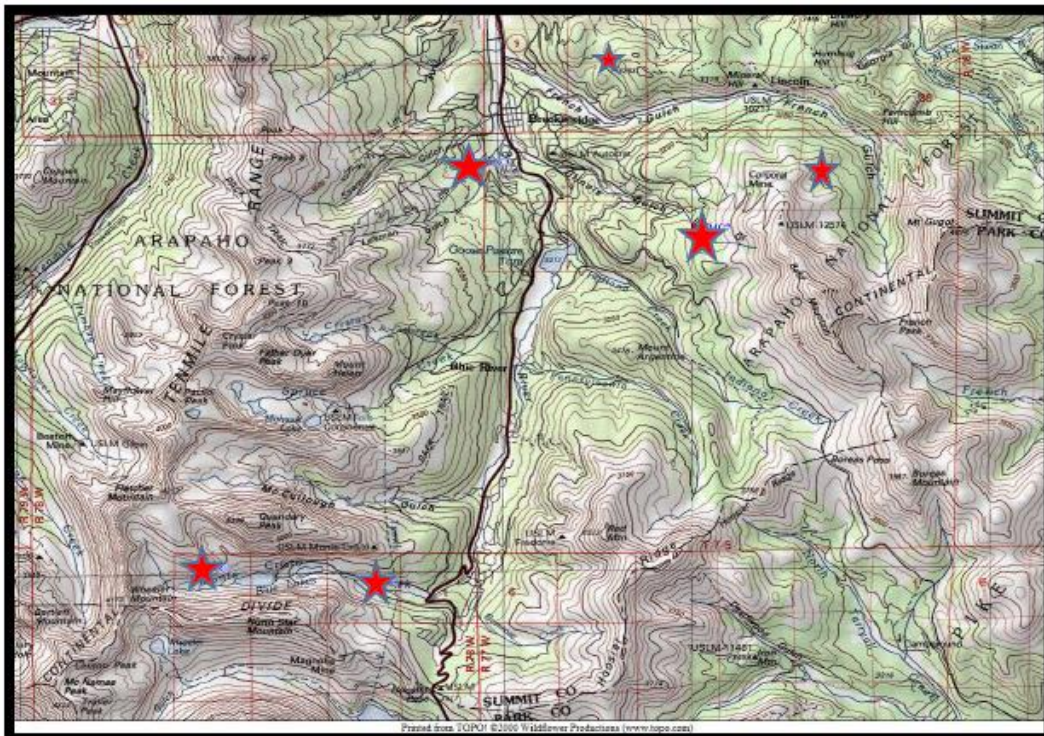
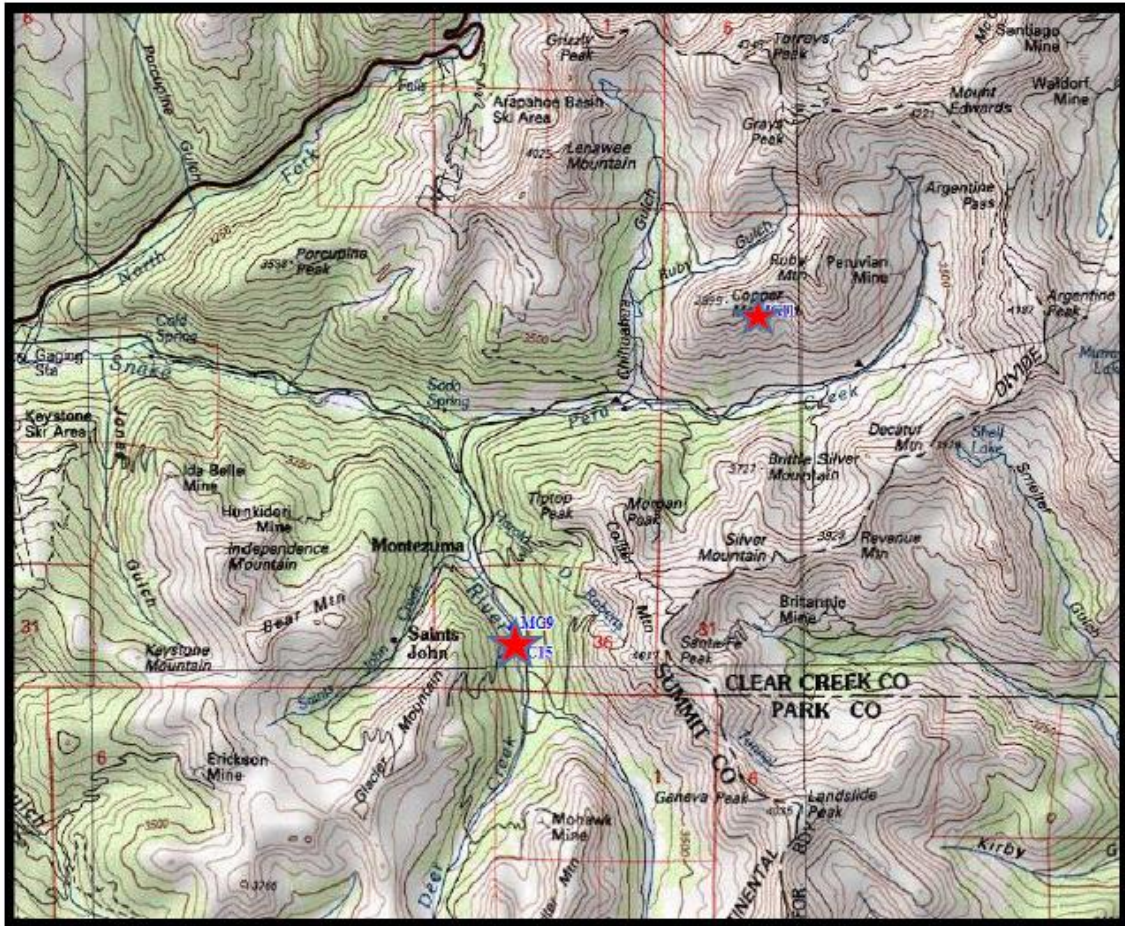




Figure 2. Snake River Area





**TABLE 1: MONTE CRISTO ABANDONED MINE LAND SAFETY CLOSURES  
(7/27/20)**

MONTE CRISTO AML SAFETY CLOSURES - 2020										
Quad Name, T, R, S, 1/4	CO DRMS Preferred Closure	DRMS Site #	Mine Feature	Location						Comments
				UTM Zone	UTM East	UTM North	North American Datum #	Appx Elev. (ft)	Land Status	
<b>Breckenridge</b>										
T8S, R78W, Sec. 4	Grate	MC-01	Adit	13N	403778.9	4360250.7	NAD83	12,371	USFS	Access - Blue Lakes parking lot
T7S, R78W, Sec. 1	Backfill	MC-03	Shaft	13N	409641.81	4369634.91	NAD83	9,732	USFS	Burro Trail
T8S, R78W, Sec. 2	Bulkhead	MC-04	Adit	13N	407206.82	4359921.9	NAD83	11,036	USFS	Monte Cristo Mill-Adit
T8S, R78W, Sec. 2	Backfill	MC-05	Shaft	13N	407035.94	4359903.17	NAD83	11,074	USFS	Corona Lode Claim - Cabin
T6S, R77W, Sec. 29	Backfill	MC-14	Shaft	13N	412184.70	4372149.40	NAD83	10,352	USFS	June Bug
<b>Boreas Pass</b>										
T7S, R77W, Sec. 27	Backfill	MC-02	Shaft	13N	415722.1	4362382.3	NAD83	11,944	Non-Federal	Raven Lode (patented)
T7S, R77W, Sec. 4	Backfill	MC-06	Adit	13N	413798.0	4368555.50	NAD83	10,735	Non-Federal	Mountain Pride Mine - West Laurium
T7S, R77W, Sec. 9	Backfill	MC-07	Adit	13N	414141.5	4368052.32	NAD83	10,956	USFS	Mountain Pride Mine
T7S, R77W, Sec. 9	Backfill	MC-08	Shaft	13N	414458.9	4367971.20	NAD83	11,210	Non-Federal	Mountain Pride Lode
T7S, R77W, Sec. 4	Backfill	MC-10	Stope/Adit	13N	414026.3	4368698.40	NAD83	10,943	Non-Federal	Mountain Pride Mine - West Laurium
T7S, R77W, Sec. 4	Backfill	MC-12	Stope	13N	414004.8	4365726.80	NAD83	10,900	Non-Federal	Mountain Pride Mine - West Laurium
T7S, R77W, Sec. 4	Backfill	MC-13	Stope	13N	414132.9	4368762.50	NAD83	10,983	Non-Federal	Mountain Pride Mine - Walker
T7S, R77W, Sec. 2	Foam or Backfill	MC-16	Shaft	13N	416984.8	4369886.70	NAD83	11,147	USFS	Nebraska/Avalanche
T7S, R77W, Sec. 2	Foam	MC-17	Shaft	13N	416878.7	4369781.50	NAD83	11,280	USFS	Nebraska/Avalanche
<b>Montezuma</b>										
T5S, R76W, Sec. 35	Foam	MC-11	Shaft	13N	429225.6	4384849.3	NAD83	12,359	Non-Federal	Rothschild Mine
<b>SITES TO BE DEFERRED TO FUTURE PROJECTS AND NOT CONSIDERED FOR IMPLEMENTATION IN THE MONTE CRISTO MINE CLOSURE PROJECT</b>										
T5S, R76W, Sec. 35	Backfill	MC-09	Shaft	13N	425886.3	4380726.6	NAD83	10,420	USFS	Burke Martin
T5S, R76W, Sec. 35	Bat Gate	MC-15	Shaft	13N	425760.5	4380335.6	NAD83	10,420	USFS	Spelter King